

CITY OF LAKE FOREST
ENCROACHMENT PERMIT STANDARD CONDITIONS
(Revised 5/11)

1. Permit and plan must be kept at the site of the work and be shown on request to any authorized representative of the City of Lake Forest or any law enforcement officer.
2. Permit shall authorize work to be performed only as to such portion of the public property over which the City of Lake Forest has jurisdiction.
3. All work shall be performed in accordance with the provisions of this permit and with all applicable laws, rules and regulations of the City, to the satisfaction of the City Engineer.
4. This permit is non-transferable.
5. The City Engineer may cancel the permit if the work authorized herein is not commenced within sixty (60) days of issuance and thereafter, in the opinion of the City Engineer, is not diligently prosecuted to completion. Cancellation may be effected by giving written notice thereof, by sending the same to the applicant by ordinary mail to the address shown on the application.
6. Not less than forty-eight (48) hours before the commencement of any work authorized by this permit, the permittee shall apply to the City Engineer for an inspector by calling (949) 461-3494. In such application, the permittee shall specify the day and hour when, and the location where the work will be commenced.
7. The permittee shall notify the City Engineer when all work is completed by calling (949) 461-3494.
8. The permittee shall provide proof of workers' compensation and general liability insurance, covering both bodily injury and property damage. The required policies shall be on forms and in amounts acceptable to the City Engineer, shall name the City as an additional insured, and shall be endorsed in favor of the City. The City Engineer may waive the general liability insurance requirement if he or she determines that the proposed encroachment will not create any significant likelihood of City liability.
9. In exchange for City issuance of this permit, permittee agrees to defend, indemnify and hold harmless the City and its officers, agents and employees from all claims, losses or other liabilities, for any damage whatsoever resulting from the permitted encroachment, or any action related to the encroachment.
10. In the event of any controversy, claim or dispute arising out of or relating to this permit, or the violation of any covenant contained herein, the prevailing party shall be entitled to receive from the losing party reasonable expenses, attorney's fees and costs.
11. The City Engineer may, either at the time of issuance of the permit, or at any time thereafter until the completion of the work, prescribe such additional conditions as he may deem necessary for the protection of the public property, or for the prevention of undue interference with traffic, or to assure public safety.
12. The permit may be immediately revoked upon notice given by the City Engineer or his designee for reasons deemed in the best interest of the City of Lake Forest, including violation of permit provisions, or other applicable rules and regulations, or for the creation of a nuisance. In the event of such revocation, permittee shall immediately cease all operations

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and restore City of Lake Forest right-of-way as directed by the City of Lake Forest's inspector.

13. Any construction or repair work which directly affects property, facilities, or improvements owned by the City of Lake Forest shall comply with Orange County "Standard Plans" to the satisfaction of the City Engineer.
14. Any deviation from the Standard Conditions must be specifically detailed on plans submitted to the City Engineer for approval. No such deviation shall be considered approved unless the City Engineer has approved plans detailing the deviation.
15. Permittee shall not make or cause to be made any excavation, construct, place upon, maintain, or leave any obstruction impediment to travel, pile or place any material in or upon any highway, install or maintain or cause to be installed or maintained any tank, pipe, conduit, duct, or tunnel, in, upon, or under the surface of any highway, at any location, or in any other manner other than that described in the application as approved by the City Engineer.
16. A penalty (triple fee) will be charged for failure to apply for a permit prior to commencement of work.
17. No work shall begin before 9:30 a.m. or continue after 3:00 p.m. on arterial streets. On all non-arterial streets, no work shall be started before 7:30 a.m. or continue after 5 p.m. on weekdays. **Absolutely no work is permitted on Saturday, Sunday or holidays.** Any deviation from the above work schedule must be approved by the City Engineer or his designee.
18. All traffic control within the construction area shall be established to the satisfaction of the City Engineer, shall be in place prior to start of work and maintained throughout the construction and shall be in compliance with the following:
 - a) The California Manual on Uniform Traffic Control Devices (MUTCD), latest edition.
 - b) Two-way traffic shall be maintained at all times.
 - c) A traffic control plan shall be prepared for each project. The plan may consist of reference to a standard plan or diagram in the California Manual on Uniform Traffic Control Devices (MUTCD) latest edition. This plan shall be submitted to the City Engineer a minimum of 48 hours, exclusive of weekends, for review prior to actual implementation.
 - d) Devices shall conform to the latest edition of the California Manual on Uniform Traffic Control Devices. The City Engineer may specify, as a condition of the issuance of the permit, the safety devices or measures to be used by the permittee, but the failure of the City Engineer to so specify the devices or measures to be used shall not relieve the permittee of the obligation hereunder.
19. Should the City Engineer or his designee find improper traffic control being used, work will be stopped until the situation is corrected.
20. Any damages to existing or temporary traffic control equipment shall be the permittee's responsibility and shall be brought to the attention of the inspector.

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21. Any roadway striping damaged or removed during the operations of this permit shall be matched and replaced by the applicant within 24 hours to the satisfaction of the City Engineer or his designee.
22. Provisions shall be made for lighted barricades, delineators and traffic control personnel to adequately protect the traveling public during construction and excavation operations. When necessary for public safety, traffic control shall be on duty twenty-four (24) hours of each day. Whenever it is necessary to direct traffic across the center of the street into oncoming traffic lanes, procedures outlined in the State of California Manual of Traffic Control, latest edition, shall be followed, and the approval of the City Engineer is required.
23. Use of permit shall be in accordance with the City specifications and approved plans subject to inspection and approval by the City Engineer. Certification for all materials and work, including compaction tests, shall be furnished by the applicant upon request by the City Engineer or his designee. Any compaction testing shall be paid for by the contractor. Certification shall be made by a certified testing agency or firm acceptable to the City.
24. All concrete removals shall be to the nearest cold joint or score joint, or saw cut if said joint is more than four (4) feet from work limits for sidewalk, ten (10) feet from work limits for curb and gutter. In NO case shall any sidewalk removal/replacement be less than twenty (20) square feet, or curb to gutter removal/replacement be less than 10 L.F. All cut concrete must be saw cut with a concrete saw to a minimum depth of two (2) inches.
25. Asphalt concrete may be cut with a concrete saw to a minimum depth of two (2) inches. If a concrete saw is not used, the cut must be made neatly and uniformly by an acceptable method.
26. When excavations are made in a parkway area which has been planted, it shall be the contractors responsibility to replace plants, shrubs, and sod in a neat and workmanlike manner, leaving the area in as near its original state as is possible.
27. All excavations must be backfilled or properly protected at the end of each working day. Non-skid metal plates shall be fastened down to prevent moving. All excavations must be covered with temporary asphalt, concrete or other type of non-erodable surface. Unless specifically approved in writing, no plates shall be in place over weekends.
28. The roadway, including sidewalks, shall be free of all obstructions and completely open to traffic at the end of each working day, or no later than 3:00 p.m. on arterial streets.
29. All excavated material shall be cast away from the improved portion of the highway. After the work has been completed, all excess material including excess excavation, shall be removed from the right-of-way and roadway and left in neat and orderly condition. No debris or spoil shall be left in the street overnight.
30. All of the backfill within the area of the right-of-way shall be aggregate base material only (Section 200-2.1), and shall be thoroughly pneumatically tamped in layers not to exceed four (4) inches in depth, except a trench in excess of 30 inches below bottom of pavement may be compacted in eight (8) inch layers or other acceptable methods. Compaction tests shall be taken by the permittee when and where required by the City Engineer or his designee. Densities shall meet the requirements of Section 300-4.7 and 301-1.3 of the Standard Specifications for Public Works Construction and of this permit.

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31. All excavation and backfill shall be compacted to a relative density of at least 90% of the maximum density. There shall be no flooding of the trench within the upper twenty-four (24) inches. All loose backfill shall be dampened and well tamped with a pneumatic tamper of any other workmanlike manner satisfactory to the City Engineer or his designee.
32. When excavation crosses the curb and gutter, sidewalk, or other improvements which are to remain in place, or crosses an intersection, backfill shall be one-sack sand-cement slurry. The slurry shall be placed in a method satisfactory to the City Engineer or his designee to assure the elimination of cavities.
33. One-sack sand-cement slurry mix shall be required as backfill on all lateral excavations within arterial travel ways unless directed to do otherwise by the City Engineer or designee. A one (1) inch AC cap is required fifty (50) feet from either side of the cut. Slurry seal may be required 100 feet from either side of the centerline of trench or the beginning of the nearest intersection, whichever is closest.
34. All concrete work shall be transit mixed and conform to the Standard Specifications for Public Works Construction, latest edition, Section 201, and approved by the City Engineer. Concrete pavement shall be constructed to a minimum thickness of six (6) inches and no less than the existing pavement and placed on a four (4) inch base material. Portland cement concrete shall be satisfactorily cured with Hunt's Process or equal, and protected from disturbance for not less than twenty-four (24) hours.
35. Temporary patching of trenches is required on lateral cuts in surfaced streets immediately after backfilling.
36. Permanent asphalt pavement replacement shall be a minimum of four (4) inches plant mix surfacing, AC (AR4000), over six (6) inches of A.B. The existing AC pavement shall be saw cut and removed to neat lines twelve (12) inches wider than the excavation on all sides. Trenches parallel to the street center line, and within the traveled lane, will require cold planing the full lane width one (1) inch deep, and all asphalt placed shall be in conformance with Section 302.5 of the current edition of the Standard Specifications for Public Works Construction. Patches shall be a minimum of four (4) inches and not less than existing pavement plus one (1) inch and placed on base material, minimum six (6) inches thick. All edges shall be treated with tack coat. Base course shall be $\frac{3}{4}$ " mix and top course mix shall be determined by the City Engineer. All AC patches shall be fog sealed. Equivalent total of AC sections may be substituted with the approval of the City Engineer.
37. All pipes and conduits laid parallel to the roadway shall be placed at least five (5) feet from the edge of the pavement or graded travel roadway, unless otherwise authorized in writing by the City Engineer. The shallowest portion of any pipeline or other facility shall be installed not less than thirty (30) inches below the roadway surface.
38. All roadside drainage ditches shall be restored to a true grade and the intake and outlet ends of all culverts shall be left free from all excess materials and debris. Materials and debris shall be removed and disposed of off-site per Local, State and Federal laws. Under no conditions shall materials and debris be washed down the storm drainage system.
39. All approaches to private driveways and intersecting roads and streets shall be kept open to traffic at all times unless otherwise approved by the City Engineer. In the event that any work permitted by this permit prevents or hinders vehicular or pedestrian traffic to travel from the street to any property, whether public or private, then the permittee shall construct and

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maintain, at his expense, such structures as the City Engineer shall prescribe that will permit access to said property.

40. Clay and earth which adhere to the paved surface of the roadway shall be removed by hand scraping and sweeping. All muck or mud resulting from water or any leaky condition will be removed and excavation backfilled with compaction materials. Never hose down materials from exposed aggregate concrete, asphalt or similar treatments into a street, gutter or storm drain. Washing down is never a substitute for sweeping.
41. Permittee shall comply with any and all directives issued by the City Engineer or designee in order to prevent dust or other materials from becoming a nuisance or annoyance.
42. Immediately upon completion of the work necessitating the excavation or obstruction authorized by any permit issued, the permittee shall promptly and in a workmanlike manner refill the excavation or remove the obstruction to the satisfaction of the City Engineer. If any permittee fails or refuses to refill any excavation which has been made, or to remove any obstruction which has been placed on any highway, the City Engineer may order the necessary City work done and the applicant shall promptly reimburse the City the cost thereof.
43. If, after the refilling of an excavation the permittee fails or refuses to resurface or repair that portion of the surface of the highway damaged by him, the City shall make the repairs and the permittee shall be charged with the cost thereof computed by the City Engineer.
44. If at any time subsequent to the first repair of the surface of a highway that has been damaged or destroyed by any excavation or obstruction, it becomes necessary again to repair such surface due to settlement or any other cause directly attributed to such excavation or obstruction, the permittee shall pay to the City the cost of additional repairs made by the City Engineer. The cost shall be computed by the City Engineer.
45. If a permittee, upon demand, fails to pay any deficiency as provided, or shall fail to pay any other costs due to the City hereunder for which no deposit has been made, the City may recover the same by action in a court of competent jurisdiction. Until such deficiency or cost is paid in full, a permit hereunder shall not thereafter be issued to such permittee.
46. If, in the estimation of the City Engineer, permittee has caused additional inspection costs, the permittee shall, upon demand, pay to the City the cost there computed by the City Engineer.
47. The holder of any permit, any agent, servant, or employee working for said permit holder on any excavation and fill, shall inform himself and obtain all necessary information as to the existence and location of all underground pipes, lines, manholes, wires, signal devices, substructures and appurtenances of any utility. The City shall be protected by the permittee against any damage by reason of any excavation or fill. Any damage caused to such underground installations, appurtenances, or substructures, shall be paid by the permittee. Such repairs are required, shall be made or caused to be made by the City and billed to such permittee who shall pay the same upon receipt of a statement of the cost of such repairs.
48. Specific provisions and additional conditions may be appended to each permit by the City Engineer or his authorized representative at the time of issuance of the permit, or at any time thereafter, until the completion of the work. The City Engineer may subscribe such additional

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conditions as he may deem necessary for the protection of the highway, or for the prevention of undue interference with traffic, or to assure the safety of persons using the highway.

49. Permittee shall prepare, submit, obtain approval, and implement a Water Quality Management Plan (WQMP) when the project involves the exposure of 5,000 sq. ft. or more of soil. A copy of the approved WQMP shall be kept on site at all times.
50. Permittee shall employ Best Management Practices (BMPs), including applicable erosion and sediment control, non-storm water management, and materials management, in conformance with The City of Lake Forest Municipal Code and as outlined in the Stormwater BMP Handbook for Construction published by the California State Stormwater Quality Association (CASQA). The CASQA BMP Handbook for Construction is available online at www.cabmphandbooks.com. Supplemental BMP Fact Sheets specific to the work to be performed within the City of Lake Forest may be attached to this permit.
51. Permittee shall develop, submit, obtain approval, and implement a Storm Water Pollution Prevention Plan (SWPPP) for projects involving the disturbance of one acre or more of land. BMP monitoring and maintenance shall be incorporated into the SWPPP. Records shall be maintained and made available to the City's inspector upon request. A copy of the approved SWPPP shall be kept on-site at all times.
52. If required, the Permittee shall submit a Notice of Intent (NOI) to the Regional Water Quality Control Board and pay the applicable fees. Upon completion of the construction, Permittee shall submit a Notice of Termination (NOT) to the Regional Water Quality Control Board.